IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 26689 of 2006(B)

PETITIONER:

K.GOPAKUMAR,
P.E.TEACHER, AKMHS, THADICADU, ANCHAL,
KOLLAM.

BY ADV. SRI.P.N.MOHANAN

RESPONDENTS:
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1. GOVT. OF KERALA REP.BUY
SECRETARY TO GOVT., GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. MANAGER, AKMHIGH SCHOOL,
THADICADU, ANCHAL, KOLLAM.

BY SR. GOVERNMENT PLEADER SRI. T.T. MUHAMOOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 26689/06

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE ORDER DT. 26.5.01 PASSED BY THE 1ST RESPONDENT

EXT.P2. COPY OF THE JUDGMENT DT. 11.7.05 BEFORE THIS HON'BLE COURT

EXT.P3. COPY OF THE PETITION SUBMITTED BEFORE THE GOVT. DT. 18.7.05

EXT.P4. COPY OF THE ORDER DT 23.8.06 PASSED BY THE GOVT.

EXT.P5. COPY OF THE INTERIM ORDER DT. 18.12.99 BEFORE THIS HON'BLE COURT.

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 26689 OF 2006

Dated this the 2nd day of August, 2007

J U D G M E N T

Having heard learned counsel for the petitioner and learned Government Pleader and having perused the materials available on record, I am satisfied that this writ petition can be disposed of on a short ground.

2. It is fairly conceded by learned Govt. Pleader after getting instruction from respondent No.1 that petitioner was not heard before passing Ext.P4 order.

In that view of the matter, Ext.P4 is quashed. The writ petition is disposed of with a direction to respondent No.1 to consider the matter afresh after affording sufficient opportunity to be heard to the petitioner and all others who are likely to be affected by the order that may be passed. This shall be done as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007